

**TRANSPORTATION DEPARTMENT[761]**

**Adopted and Filed**

Pursuant to the authority of Iowa Code sections 307.10 and 307.12, the Iowa Department of Transportation, on January 13, 2015, adopted amendments to Chapter 13, “Contested Cases,” Iowa Administrative Code.

Notice of Intended Action for these amendments was published in the November 26, 2014, Iowa Administrative Bulletin as **ARC 1736C**.

Item 1 makes changes to expand the retention period of contested case records to coincide with Iowa Code section 17A.12, which requires that records relating to oral proceedings be retained for at least five years. Item 2 corrects an Iowa Code citation within the chapter’s implementation sentence.

These rules do not provide for waivers. Any person who believes that the person’s circumstances meet the statutory criteria for a waiver may petition the Department for a waiver under 761—Chapter 11.

These amendments are identical to those published under Notice of Intended Action.

After analysis and review of this rule making, no impact on jobs has been found.

These amendments are intended to implement Iowa Code sections 17A.12 and 10A.801.

These amendments will become effective March 11, 2015.

The following amendments are adopted.

ITEM 1. Amend rule 761—13.10(17A) as follows:

**761—13.10(17A) Maintenance of records.** The department shall retain for three at least five years from the date of the final decision copies of ~~decisions~~ the record made before the presiding officer, the decision received from the presiding officers officer, decisions the decision issued by the director, and related correspondence.

ITEM 2. Amend **761—Chapter 13**, implementation sentence, as follows:

These rules are intended to implement Iowa Code chapter 17A and Iowa Code section ~~10A.202~~ 10A.801.

[Filed 1/15/15, effective 3/11/15]

[Published 2/4/15]

EDITOR’S NOTE: For replacement pages for IAC, see IAC Supplement 2/4/15.